

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

<div>SECURITIES INVESTOR PROTECTION CORPORATION,</div> <div>Plaintiff-Applicant,</div> <div>v.</div> <div>BERNARD L. MADOFF INVESTMENT SECURITIES LLC,</div> <div>Defendant.</div>	<div>Adv. Pro. No. 08-01789 (SMB)</div> <div>SIPA Liquidation</div> <div>(Substantively Consolidated)</div>
<div>In re:</div> <div>BERNARD L. MADOFF,</div> <div>Debtor.</div>	
<div>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,</div> <div>Plaintiff,</div> <div>v.</div> <div>HSBC BANK PLC, et al.,</div> <div>Defendants.</div>	<div>Adv. Pro. No. 09-01364 (SMB)</div>

STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Bankruptcy Procedure 7041(a)(1)(A)(ii) and Federal Rule of Civil Procedure 41(a)(1)(A)(ii), it is hereby stipulated and agreed by and between the plaintiff, Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff, and defendants (collectively, the “Stipulating Defendants”) Equus Asset Management Partners L.P., Genevalor, Benbassat et Cie, Cape Investment

Advisors Limited, Aurelia Fund Management Limited, Aurelia Asset Management Partners, Alberto Benbassat, Stephane Benbassat, the Estate of Mario Benbassat, Roberto Nespolo, David T. Smith, Laurent Mathysen-Gerst, Vladimir Stepczynski, Jean-Marc Wenger, Pascal Cattaneo, and Olivier Ador, through their respective attorneys, that the action as between these parties be dismissed without prejudice, without costs to any party.

The Stipulating Defendants reserve all rights and defenses, including, but not limited to, any challenges to the assertion of personal jurisdiction over the Stipulating Defendants, and entry into this Stipulation of Dismissal shall not impair or otherwise affect such rights and defenses.

Dated: July 20, 2015
New York, New York

<u>s/ Oren Warshavsky</u> Baker & Hostetler LLP 45 Rockefeller Plaza New York, New York 10111 Telephone: (212) 589-4200 Facsimile: (212) 589-4201 Oren Warshavsky Email: owarshavsky@bakerlaw.com Gonzalo Zeballos Email: gzeballos@bakerlaw.com Geoffrey A. North Email: gnorth@bakerlaw.com	<u>s/ Matthew Feldman</u> Willkie Farr & Gallagher LLP 787 Seventh Avenue New York, NY 10019-6099 Telephone: (212) 728-8822 Facsimile: (212) 728-8111 Matthew A. Feldman Email: mfeldman@willkie.com Robin Spigel Email: rspigel@willkie.com
<i>Attorneys for Plaintiff Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff</i>	<i>Attorneys for Defendants Cape Investment Advisors Limited, Equus Asset Management Partners L.P., Genevalor, Benbassat & Cie, Alberto Benbassat, David T. Smith, Stephane Benbassat, Roberto Nespolo, and the Estate of Mario Benbassat</i>

s/ Mark M. Elliott

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SO ORDERED

/s/ STUART M. BERNSTEIN

HONORABLE STUART M. BERNSTEIN

UNITED STATES BANKRUPTCY JUDGE

Dated: July 21st, 2015

New York, New York